

REMARKS/ARGUMENTS

With regard to the application as it presently stands and in light of the following remarks, reexamination and reconsideration are respectfully requested by applicants.

The Office Action

Claims 28-38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nelson (U.S. Patent No. 6,061,718) in view of O'Neal (U.S. Patent No. 6,263,064).

Claims 39 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nelson in view of O'Neal and in further view of Sumar (U.S. Patent No. 5,838,768).

Claims 41-50 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sumar in view of Nelson.

Summary of the Amendments

Claims 28, 39, 41 and 43 have been amended to clarify that which is being claimed in this application. Support for the amendments and the new claims may be found throughout the specification, such as on pages 8-9. In addition, claims 29, 30, 42, and 44-51 have been cancelled in view of the amendments.

Background

To review briefly, the present application is directed to a system and method for notifying and hearing selected electronic mail (e-mail) messages via a public switched telephone network. With this novel invention, a party can subscribe to a special service (i.e., NHSE) and be notified of selected e-mails and hear the e-mails over the telephone. More specifically, the system may employ a service control point (SCP) to receive e-mails from sending parties. The SCP compares the e-mail header information to an NHSE subscriber list stored in a database. If applicable, the e-mail message is converted to an audio message and transmitted to the subscriber via telephone. The present invention is compatible with public switched telephone networks, and it requires no additional hardware or software for telephone customers subscribing to this service.

Brief Discussion of the References of Record

Nelson is directed to a rather simple system for delivering E-mail messages to and from a subscriber station in a wireless or wired communications system. The e-mail delivery system converts e-mail messages sent to the subscriber station from text to speech for delivery to the subscriber station. Furthermore, the e-mail delivery system converts e-mail messages sent by the subscriber station from speech to text for delivery to a remote destination.

O'Neal is directed to a computer-implemented control center for permitting a subscriber of communication services to customize communication options pertaining to the communication services using a telephone or a display terminal. The control center includes a subscriber communication profile database and, for each subscriber, an account including the communication options for the subscriber. The communication options include parameters associated with individual communication services and routings among the communication services. There is also disclosed a computer server coupled to exchange data with the subscriber communication profile database. The computer server displays the communication options on the display terminal when the subscriber employs the display terminal to access the control center. The computer server is also configured to receive changes from the subscriber via the display terminal and to update the changes to the account in the database. There is also included a telephony server coupled to exchange data with the communication profile database. The telephony server is configured to audibly represent the communication options to the telephone when the subscriber employs the telephone to access the computer-implemented control center.

Sumar is directed to a solution to a set of problems concerning the conversion and delivery of messages that have been received in one medium, such as in e-mail message format, facsimile format or in Short Message Service format, to subscribers who wish to receive the messages in a different format.

The Present Claims Patentably Distinguish over the References of Record

Claim 28, as amended, is directed to a method of providing an e-mail delivery service to subscribers. More specifically, claim 28 includes, among other things, storing handling instructions that are *"customizable by the subscriber and comprise at least one of the subscriber's electronic mail address, the subscriber's designated*

telephone for receiving electronic mail, the subscriber's electronic mail truncation instructions, a list of the subscriber's e-mail addresses for messages from those senders that the subscriber would like to receive, a plurality of keywords in a sender's electronic mail address that will activate the service, a plurality of keywords in a received electronic mail message's subject or body that will activate the service, and a priority level that will activate the service." Claim 28 further includes *"truncating the audio message according to the truncation instructions, wherein the truncation instructions comprise which messages are to be truncated and the truncation length."* As noted by the Examiner, Nelson fails to disclose storing the handling instructions and comparing information in the e-mail message. In addition, Nelson fails to disclose truncating the messages. Accordingly, Nelson fails to disclose the method as presented in amended claim 28.

O'Neal, when combined with Nelson as the Examiner has suggested, fails to render claim 28 obvious. O'Neal discloses a "subscriber communication profile database" (column 8, lines 10-13). Apparently, the database stores information relating to the formatting and routing of messages (column 8, lines 13-17). However, exactly "what" information is not specified in O'Neal. Indeed, O'Neal does not disclose the list of possible instructions as presented in claim 28, including the truncation instructions.

Accordingly, it is submitted that claim 28, as amended, and claims 31-40, which depend therefrom, patentably distinguish over the references of record.

Claim 41, as amended, is directed to a system for providing to a subscriber an audio message converted from an electronic mail message. It includes, among other elements, a service control point (SCP) having call handling logic and a database for storing call handling information and electronic mail handling instructions. Further, the electronic mail handling instructions are *"customizable by the subscriber and comprise at least one of the subscriber's electronic mail address, the subscriber's designated telephone for receiving electronic mail, the subscriber's electronic mail truncation instructions, a list of the subscriber's e-mail addresses for messages from those senders that the subscriber would like to receive, a plurality of keywords in a sender's electronic mail address that will activate the service, a plurality of keywords in a received electronic mail message's subject or body that will activate the service, and a priority level that will activate the service."* The primary reference cited, Sumar, fails to expressly disclose this system.

Sumar discloses converting "the message based upon the subscriber's preference from the mode in which it was received to the mode in which a subscriber 922 wishes the message to be delivered" (column 12, lines 53-56). The "convert command" is described in column 17, lines 1-19. However, Sumar is silent as to the nature of the subscriber's preferences and how it is to be converted, including whether the message may be truncated as dictated by the subscriber. The remaining references of record fail to render claim 41, as amended, obvious. Accordingly, it is submitted that claim 41 and claim 43, which depends therefrom, patentably distinguish over the references of record.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 28, 31-41, 43, and 52-62) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone John S. Zanghi, at (216) 861-5582.

Respectfully submitted,

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